IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 8694 OF 2006

SHRI LAXMAN SAKHARAM GAIKWAD ... PETITIONER

VS.

MS/ RAJ POWER PARTS & ENGG.COMPANY P.LTD. ... RESPONDENTS.

MS. ANJALI S. RANADE FOR THE PETITIONER.

MR. A.D.PATWARDHAN FOR RESPONDENTS.

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CORAM : A.P.DESHPANDE, J.

DATE : February 6, 2007.

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P.C.

1. By the present petition, the Judgment and Order, dated 15.4.2006, passed by the 3rd Labour Court, Pune, is challenged. The Petitioner employee moved the Labour Court under Section 33(c)(2) of the Industrial Disputes Act claiming the arrears of difference in the wages paid to the petitioner and to the one to which he was entitled, on account of fixation of minimum wages. The Petitioner claimed that he was paid Rs. 105 since the year 1985 till

February, 2002 and it was then contended that the minimum wages fixed for a painter were Rs. 155/- per day. The Petitioner failed to place on record any material or document to establish the fixation of the minimum wages in a sum of Rs. 155/- per day and on that count the Labour Court has held that the Petitioner has utterly failed to establish the claim sought to be made out towards the difference of the wages for a period of about 16 years.

2. It was the case of the 3rd respondent before the Labour Court that in fact on 15.1.2003, the Petitioner resigned the service and received towards his full and final settlement, a sum of Rs. 16,120/-. Be as it may, I am informed at the bar that in regard to the said resignation/ termination, a dispute has already been referred and the same is pending adjudication in Labour Court.

3. Perused the Order passed by the Labour Court. No interference is called for in exercise of the writ jurisdiction. The Petition stands summarily dismissed.

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[A.P.DESHPANDE, J.]